



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 06/24/03

AGENDA ITEM 6

WORK SESSION ITEM           

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Downtown Business Improvement Area Consideration of Annual Levy

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution authorizing the levy and collection of fees within the Downtown Business Improvement Area (DBIA) for the calendar year 2004.

**BACKGROUND:**

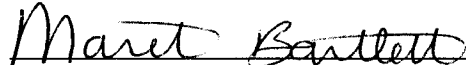
The DBIA exists for the purpose of undertaking improvements and activities designed to promote the business environment in downtown Hayward. Most retail, service/professional and financial institutions within the boundaries of the DBIA are assessed an annual levy which is collected by the City's Finance Department. The levy amount, as detailed in Attachment 1, varies by business license category, and by zone in which the business is located. A small minority of business license holders located within the DBIA are exempted from the levy.

In accordance with State law, the levy may be approved each year by City Council only after the adoption of an annual report which has been submitted by a Citizens' Advisory Board, and after holding a public hearing regarding the proposed levy.

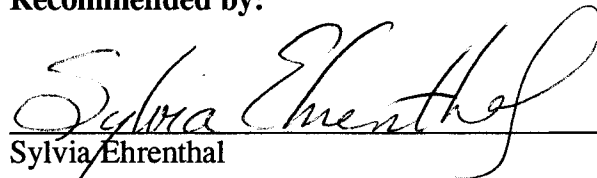
On June 10, 2003, the City Council accepted the FY 2002-03 DBIA Annual Report and FY 2003-04 budget recommendations submitted by the DBIA Advisory Board. The Report projected \$48,000 to be collected from the DBIA levy. It also allocated an estimated \$11,000 from the existing fund balance, as well as \$35,000 proposed for funding by the Redevelopment Agency. Thus, the total budget allocations for the next fiscal year equal \$94,000. The DBIA's annual report recommended no changes to DBIA district boundaries, benefit zones, or the method of the levy at this time.

Notices of the June 24, 2003, public hearing were sent by U.S. mail to all business license holders in the DBIA (exempt and non-exempt). It is recommended that the City Council hold the public hearing to take any testimony regarding the proposed 2004 levy, and that the City Council subsequently adopt the attached resolution authorizing the collection of assessments for the calendar year 2004.

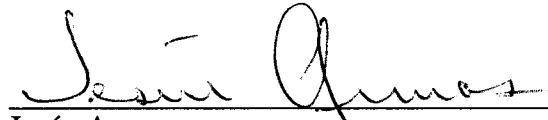
**Prepared by:**

  
Maret Bartlett  
Redevelopment Director

**Recommended by:**

  
Sylvia Ehrenthal  
Director of Community and  
Economic Development

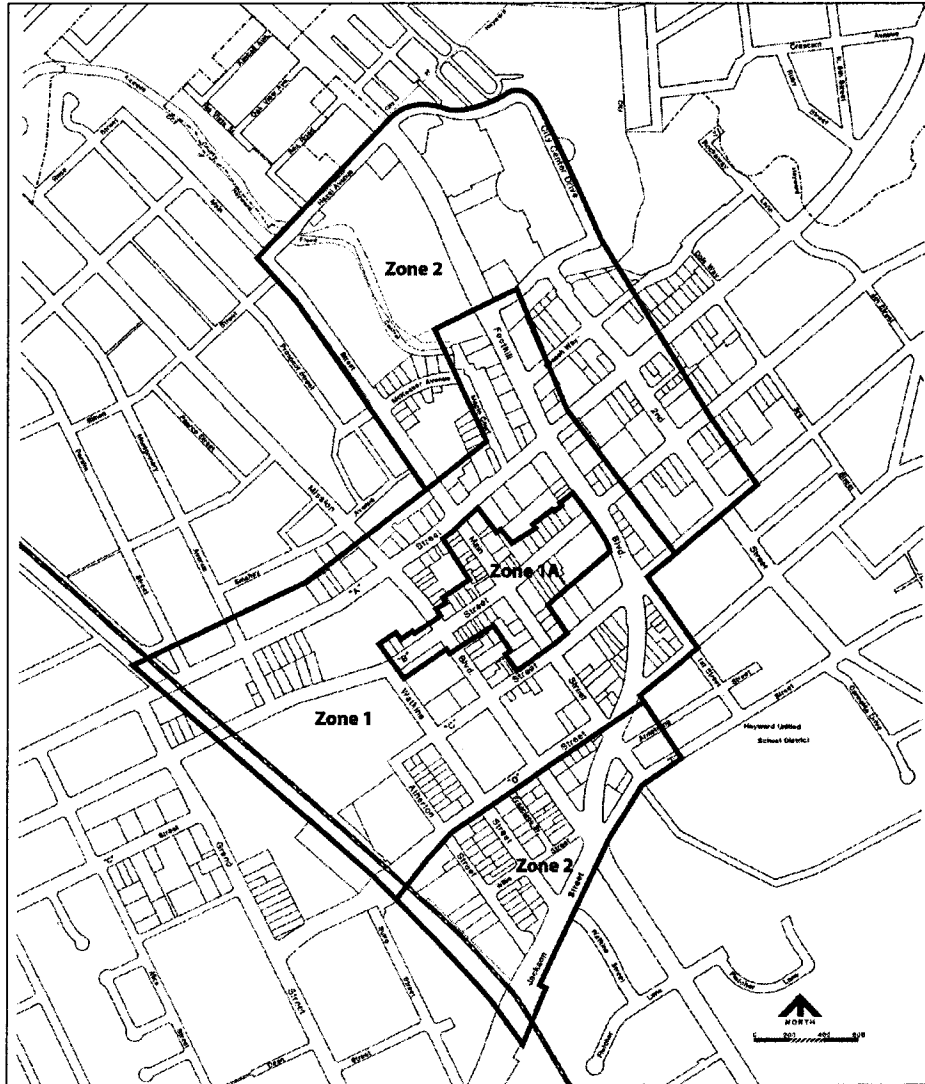
**Approved by:**

  
Jesús Armas  
City Manager

Attachments: 1 - DBIA Zone Map and Fee Structure  
Resolution

## ATTACHMENT 1

### DOWNTOWN HAYWARD BIA CURRENT ZONES



### BIA FEE STRUCTURE

All businesses classified as PROFESSIONAL SERVICE AND MISCELLANEOUS NON-RETAIL which are located in **Zone 1A** shall pay a flat fee of \$125.00 per year. **Zone 1** is a flat fee of \$75.00 per year.

All businesses classified as FINANCIAL which are located in **Zone 1A** shall pay a flat fee of \$325.00 per year. **Zone 1** is a flat fee of \$200.00 per year.

All businesses classified as PROFESSIONAL SERVICE AND MISCELLANEOUS NON-RETAIL which are located in **Zone 2** shall pay a flat fee of \$75.00 per year.

All businesses classified as FINANCIAL which are located in **Zone 2** shall pay a flat fee of \$200.00 per year.

All businesses classified as RETAIL shall pay an assessment based on the following gross receipts schedule:

GROSS RECEIPTS	ZONE 1A	ZONE 1	ZONE 2	GROSS RECEIPTS	ZONE 1A	ZONE 1	ZONE 2
Less than \$100,000	\$145.00	\$120.00	\$ 90.00	\$400,001 - \$ 500,000	\$355.00	\$330.00	\$250.00
\$100,001 - \$150,000	\$175.00	\$150.00	\$115.00	\$500,001 - \$ 750,000	\$425.00	\$400.00	\$300.00
\$150,001 - \$200,000	\$205.00	\$180.00	\$135.00	\$750,001 - \$1,000,000	\$495.00	\$400.00	\$300.00
\$200,001 - \$300,000	\$255.00	\$230.00	\$175.00	\$1,000,001 and up	\$525.00	\$400.00	\$300.00
\$300,001 - \$400,000	\$305.00	\$280.00	\$210.00				

**DRAFT**  
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HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

Introduced by Council Member \_\_\_\_\_

RESOLUTION CONFIRMING THE ANNUAL REPORT AND  
AUTHORIZING THE DOWNTOWN BUSINESS  
IMPROVEMENT AREA (DBIA) LEVY FOR CALENDAR  
YEAR 2004

WHEREAS, on June 10, 2003, the City Council accepted the FY 2003-04  
DBIA Annual report; and

WHEREAS, the Council established June 24, 2003, as the date for the public  
hearing on the levy and provided for oral and written protests at that hearing; and

WHEREAS, the DBIA Advisory Board recommended no changes to the DBIA  
district boundaries, benefit ones or the method of the levy.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of  
Hayward finds as follows:

1. The resolution of intention was appropriately adopted and the required  
notice of the assessment hearing given.
2. The assessment hearing has been held and all oral and written protests  
considered.
3. There has not been a majority protest to the assessment.
4. All properties in the district will derive benefit from the assessment in  
proportion to the assessment.

BE IT FURTHER RESOLVED that the Council hereby confirms the DBIA  
Annual Report and orders the levies contained in the report.

IN COUNCIL, HAYWARD, CALIFORNIA June 24, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward